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LAW DEPARTMENT
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VIA ECF

Hon. Denise L. Cote

Daniel Patrick Moynihan Courthouse

500 Pearl Street

New York, NY 10007

In an endorsement of May 25, Plaintiff was requested to provide attorney billing records by 6/4/21. Plaintiff shall do so by 8/4/21. The July 29, 2021 plaintiff's failure to do so by 8/4/21 shall result in the dismissal of this action unless the plaintiff explains by 8/6/21 why such dismissal should not occur. The City shall provide a status report by noon on 8/6/21. *Denise Cote*

Re: M.S. o.b.o. E.S. v. N.Y.C. Dep't of Educ., 21-cv-3388 (DLC)(SN)

Dear Judge Cote:

I am a Special Assistant Corporation Counsel in the office of Acting Corporation Counsel, Georgia M. Pestana, attorney for Defendant in the above-referenced action, wherein Plaintiff seeks solely attorney's fees, costs and expenses for legal work on an administrative hearing under the Individuals with Disabilities Education Act, 20 U.S.C. § 1400, et seq. ("IDEA"), as well as for this action. *7/30/21*

By Order dated May 25, 2021 (ECF No. 12), Your Honor imposed a 90-day stay of this case and directed counsel to provide relevant billing records no later than June 4, 2021. However, those records have not yet been received. I therefore write to respectfully request that Plaintiff's counsel be ordered to provide relevant billing records in this case no later than August 2, 2021, and that the Court impose another 90-day stay of this action to provide the parties with sufficient time to resolve this case without needing any further Court intervention. I have reached out to Plaintiff's counsel on multiple occasions since June 4, 2021 to inquire about billing records in multiple cases, but have not received any response.

Defendant believes that if attorney billing records are provided, the parties have a very high likelihood of fully resolving this matter within 90 days. Therefore, Defendant respectfully requests that this action be stayed for 90 days, and that Plaintiff's counsel be directed to provide attorney billing records no later than August 2, 2021.

Thank you for considering these requests.

Respectfully submitted,

/s/

Martha Nimmer
Special Assistant Corporation Counsel

cc: Irina Roller, Esq. (via ECF)